

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

018158-018610US

I hereby certify that this correspondence is being filed via
EFS-Web with the United States Patent and Trademark Office
on October 16, 2006.

TOWNSEND and TOWNSEND and CREW LLP

By: /Nina L. McNeill/
Nina L. McNeill

In re Application of **LAWRENCE W. STARK et al.**

Application Number

10/006,992

Filed

December 6,

2001

For **DIRECT WAVEFRONT-BASED
CORNEAL ABLATION TREATMENT
PROGRAM**

Art Unit 3739

Examiner

M.

Shay, David

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ -0-

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced
by half, and the resulting fee is: \$ _____

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment
to Deposit Account No. 20-1430. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

/Nathan S. Cassell/

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

Signature

Nathan S. Cassell

Typed or printed name

☒ attorney or agent of record.
Registration number 42,396

303-571-4000

Telephone number

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34: _____

October 16, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below".

☐ *Total of _____ forms are submitted.